

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

APPLERA CORPORATION, MDS INC.,
and APPLIED BIOSYSTEMS/MDS SCIEX
INSTRUMENTS,

Plaintiffs and
Counter-Defendants,

v.

THERMO ELECTRON CORPORATION,

Defendant and
Counter-Plaintiff.

THERMO FINNIGAN LLC

Plaintiff and
Counter-Defendant,

v.

APPLERA CORPORATION, MDS, INC.,
and APPLIED BIOSYSTEMS/MDS SCIEX
INSTRUMENTS,

Defendants and
Counter-Plaintiffs.

Civil Action No. 04-1230-GMS

Civil Action No. 05-110-GMS

(Consolidated)

NOTICE OF FILING WITH CLERK'S OFFICE

NOTICE IS HEREBY GIVEN that the document listed below has been manually
filed with the Court due to its voluminous size and is maintained in paper form only in the case
file in the Clerk's Office:

**JOINT CLAIM CONSTRUCTION APPENDIX
FOR U.S. PATENT NOS. 4,963,736 AND 6,528,784**

A handwritten signature in cursive script, reading "Karen E. Keller".

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Dated: November 18, 2005

CERTIFICATE OF SERVICE

I, Karen E. Keller, Esquire hereby certify that on November 18, 2005, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

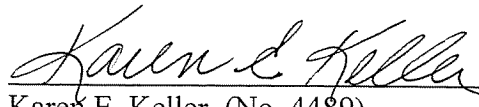
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I further certify that on November 18, 2005, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

BY FEDERAL EXPRESS

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YOUNG CONAWAY STARGATT & TAYLOR, LLP

A handwritten signature in cursive script, reading "Karen E. Keller", is positioned above a horizontal line.

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